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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/014,953	12/11/2001	Lubert Stryer	AFFYP002C1

26541  
 RITTER, LANG & KAPLAN  
 12930 SARATOGA AE. SUITE D1  
 SARATOGA, CA 95070

CONFIRMATION NO. 4009  
**FORMALITIES LETTER**



\*OC000000013592316\*

Date Mailed: 08/19/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
 DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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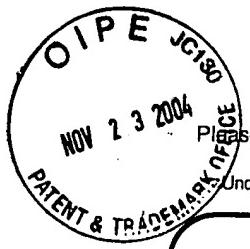
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*Shumay* *A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PTO/SB/21 (08-03)

Approved for use through 8/30/2003. OMB 0651-0031

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

87

Application Number	10/014,953
Filing Date	December 11, 2001
First Named Inventor	Lubert STRYER
Group Art Unit	1636
Examiner Name	Unassigned
Attorney Docket Number	AFFYP002C1

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Sequence listing
<input type="checkbox"/> Certified Copy of Priority Document(s)		Sequence listing transmittal letter
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		Copy of Notice to Comply
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Clean and marked up substitute specifications
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 50-1852.	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

RITTER, LANG & KAPLAN LLP  
Michael J. Ritter, Reg. No. 40,043

Signature

Date

November 19, 2004

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown:

November 19, 2004

Typed or printed name

Michelle R. Crosby

Signature

Date

November 19, 2004

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/03. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**110.00**

METHOD OF PAYMENT (check all that apply)  
 Check     Credit Card     MoneyOrder     Other     None  
 Deposit Account:

Deposit Account Number  
**50-1652**

Deposit Account Name  
**Ritter, Lang & Kaplan LLP**

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below     Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)  
**0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Claims	Extra	Fee from below	Fee Paid
Total Claims	-20**	=	X =
Independent Claims	-3**	=	X =
Multiple Dependent		X =	

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)
1202 18	2202 9		
1201 86	2201 43		
1203 290	2203 145		
1204 86	2204 43		
1205 18	2205 9		

SUBTOTAL (2) (\$)  
**0****Fee Description**

Claims in excess of 20  
Independent claims in excess of 3  
Multiple dependent claim, if not paid  
\*\* Reissue independent claims over original patent  
\*\* Reissue claims in excess of 20 and over original patent

**FEE CALCULATION (continued)**

3. ADDITIONAL FEES		Fee Description		Fee Paid
Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive – unavoidable
1453	1,330	2453	665	Petition to revive – unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Petitions related to provisional applications
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify)				

\*Reduced by Basic Filing Fee Paid      SUBTOTAL (3) (\$)  
**110.00**

\*\*or number previously paid, if greater; For Reissues, see above

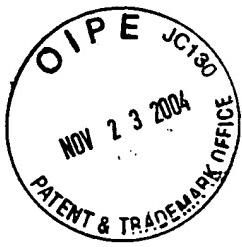
**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Michael J. Ritter	Registration No. (Attorney/Agent)	40,043	Telephone	408-446-8693
Signature			Date	November 19, 2004	

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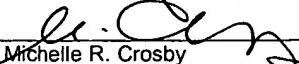
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting this completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Signed:

  
Michelle R. Crosby

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	:	10/014,953	Confirmation No.:	4009
Applicant	:	Lubert STRYER		
Filed	:	December 11, 2001		
TC/A.U.	:	1636		
Examiner	:	Unassigned		
Docket No.	:	AFFYP002C1		
Customer No.	:	26541		
Title	:	COMPUTER-AIDED NUCLEIC ACID SEQUENCING		

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBSTITUTE SPECIFICATION TRANSMITTAL**

Sir:

Pursuant to 37 CFR 1.125, Applicant submits a clean and marked up version of the substitute specification. The substitute specification adds line numbers and include SEQ ID NOS for the nucleic acid sequences. No new matter was added.

Respectfully submitted,



Michael J. Ritter  
Reg. No. 36,653

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